

A RESOLUTION**BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 2 WITH GSC/CIVIL WORKS, A JOINT VENTURE, FOR PROJECT NUMBER 3007000006, CONRAC ACCESS ROADWAY, ON BEHALF OF THE DEPARTMENT OF AVIATION, IN THE AMOUNT OF \$4,000,000; ALL SERVICES WILL BE CHARGED TO AND PAID FROM PATEO 18100302 (ACCESS ROADWAY) 102 (R21E060193R) 551121375 (DOA 2004 J N K PFC 93CR) 5414002 (FACILITIES NOT BUILDINGS-CIP), FDOA 5511 (2004 AIRPORT PFC BOND FUND F-K) 180201 (DOA AVIATION CAPITAL PLANNING & DEVELOPMENT) 5414002 (FACILITIES OTHER THAN BLDGS/INFRASTRUCTURE-CIP) 7563000 (AIRPORT) 100302 (ACCESS ROADS) 21375 (DOA 2004 J N K PFC 93CR) 0000 (DEFAULT) 00000000 (DEFAULT) 00000000 (DEFAULT); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City"), as owner and operator of Hartsfield-Jackson Atlanta International Airport ("Airport"), has undertaken a Capital Improvement Program to accommodate increasing air traffic, including a Consolidated Rental Car Facility; and

WHEREAS, the City entered into Contract No. FC-3007000006 ("Contract"), CONRAC Access Roadway ("Project"), with GSC/Civil Works, Joint Venture ("GSC"), pursuant to Resolution No. 07-R-1229; and

WHEREAS, the Project has been impacted by events that appear to be outside of GSC's control, including construction constraints imposed by FAA for crane operations, delays in the relocation of utility lines by outside utility companies and unforeseen subsurface conditions that have increased the cost of the bridge foundations; and

WHEREAS, GSC has submitted to the City certain monetary claims for these impacts and they have negotiated the potential payment of certain of these claims in good faith; and

WHEREAS, accordingly, the City and GSC have agreed to a settlement of such potential claims in an amount not to exceed \$4 million, and the Aviation General Manager and the Chief Procurement Office have recommended the execution of Change Order No. 2 to the Contract to fund the payment of that settlement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor is authorized to execute Change Order No. 2 to the Contract in the amount of \$4,000,000.

BE IT FURTHER RESOLVED, that all contracted work will be charged to and paid from PATEO 18100302 (Access Roadway) 102 (R21E060193R) 551121375 (DOA 2004 J N K PFC 93CR) 5414002 (Facilities Not Buildings-CIP), FDOA 5511 (2004 Airport

PFC Bond Fund F-K) 180201 (DOA Aviation Capital Planning & Development) 5414002 (Facilities Other Than Bldgs/Infrastructure-CIP) 7563000 (Airport) 100302 (Access Roads) 21375 (DOA 2004 J N K PFC 93CR) 0000 (Default) 00000000 (Default) 00000000 (Default).

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare Change Order No. 2 for execution by the Mayor.

BE IT FINALLY RESOLVED, that Change Order No. 2 will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to GSC.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview:

Caption:

Council Meeting Date:

Requesting Dept.:

FAC Confirmed by:

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this Resolution is to authorize the Mayor to execute Change Order No. 2 with GSC Atlanta/Civil Works, JV.

2. Please provide background information regarding this legislation.

The project consists of the construction of a new four-lane divided roadway and bridge to serve the new Consolidated Rental Car (CONRAC) Facility. The 3,000 ft long bridge begins in airport Park-Ride Lot C, spans over Terminal Parkway, I-85, MARTA South Yard, Best Road, West Point Avenue, CSX Railroad, US29/Roosevelt Highway, and terminates at the CONRAC Facility.

The original contract amount was \$30,428,000. Bilateral Change Order #1 was executed to remove non-essential scope from the project in an effort to keep the project within budget.

The project has been impacted by events that appear to be outside the GSC's control, including construction constraints imposed by FAA for crane operations, delays in the relocation of utility lines by outside utility companies, and unforeseen subsurface conditions that have increased the cost of the bridge foundations. The cost impacts from these events have exhausted the Miscellaneous Modifications account established for the project. In addition, projected future impacts to crane operations due to flight operations will require additional allocation of funds in order to complete the project. The project is currently on schedule.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Change Order

(b) **Source Selection:**

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center (Ex. Name and number):

PATEO 18100302 (Access Roadway) 102 (R21E060193R) 551121375 DOA 2004 J N K PFC 93CR) 5414002 (Facilities Not Buildings – CIP), FDOA 5511 (2004 Airport PFC Bond Fund F-K) 180201 (DOA Aviation Capital Planning & Development) 5414002 (Facilities Other Than Bldgs/Infrastructure – CIP) 7563000 (Airport) 100302 (Access Roads) 21375 (DOA 2004 J N K PFC 93CR) 0000 (Default) 00000000 (Default) 00000000 (Default).

5. Source of Funds: Example: Local Assistance Grant PFC's

6. Fiscal Impact: \$4,000,000

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: Passenger Facility Charges

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.**
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.**

This Legislative Request Form Was Prepared By: Tommy Thomas, Jr.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

Originating Department: Aviation

Committee(s) of Purview: Finance/Executive

Chief of Staff Deadline: 7/02/08

Anticipated Committee Meeting Date(s): 7/16/08

Anticipated Full Council Date: 7/21/08

Commissioner Signature: Med 

Chief Procurement Officer Signature: 



CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 2 WITH GSC/CIVIL WORKS, A JOINT VENTURE, FOR PROJECT NUMBER 3007000006, CONRAC ACCESS ROADWAY, ON BEHALF OF THE DEPARTMENT OF AVIATION, IN THE AMOUNT OF \$4,000,000; ALL SERVICES WILL BE CHARGED TO AND PAID FROM PATEO 18100302 (ACCESS ROADWAY) 102 (R21E060193R) 551121375 (DOA 2004 J N K PFC 93CR) 5414002 (FACILITIES NOT BUILDINGS-CIP), FDOA 5511 (2004 AIRPORT PFC BOND FUND F-K) 180201 (DOA AVIATION CAPITAL PLANNING & DEVELOPMENT) 5414002 (FACILITIES OTHER THAN BLDGS/INFRASTRUCTURE-CIP) 7563000 (AIRPORT) 100302 (ACCESS ROADS) 21375 (DOA 2004 J N K PFC 93CR) 0000 (DEFAULT) 00000000 (DEFAULT) 00000000 (DEFAULT); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any) \$4,000,000

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 7.2.08  Reviewed by: 
(date) (date)

Submitted to Council: _____
(date)